



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	§	Notice of Allowance Date:
Keith R. Berning	§	
Russell D. Hester	§	
Aland Santamarina	§	Group Art Unit: 3752
Ronald D. Stouffer	§	
	§	Examiner: Darren W. Gorman
Assignee: Bowles Fluidics Corporation	§	
	§	
Application No.: 10/673,727	§	
	§	
Filed: September 29, 2003	§	Class-Subclass:
	§	
For: Fluid Spray Apparatus	§	Atty. Dkt. No.: BWLS13R
	§	

RESTRICTION ELECTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

ATT: Examiner Darren W. Gorman, Group 3752

Dear Sir:

In response to your recent restriction requirement for the above application, the applicants provisionally elect the broader version (i.e., page 8, lines 15-22) of what you have indicated is your Invention I and which you indicate is disclosed on page 8, lines 15-30.

This election is necessary since the only claim that is readable upon your indicated Invention I is dependent claim 7.

However, one need not define the applicant's invention in the manner chosen by the Examiner (i.e., page 8, lines 15-30). One could just as easily define the applicants' invention as that which is disclosed on page 8, lines 15-22 and clearly shown in FIG. 12.

Applicants' argue that this is exactly what they have done in setting out their Claim 1. Meanwhile, they chose on their application's page 8, "Summary of the Invention" section to list their first embodiment of the present invention as the more element-rich, and therefore narrower, embodiment which is essentially shown in FIG. 15A.

Thus, the claims that read upon the applicants' provisionally elected, broader version (i.e., page 8, lines 15-22) of the Examiner's Invention I are apparatus Claims 1-7.

Because of this election, the applicants hereby withdraw the claims which read upon their non-elected inventions, which are method Claims 8-23 and 26-27 and apparatus Claims 24-25.

In withdrawing these claims, the applicants note that they are effectively giving up various embodiments of the present invention which they chose in their initial filing to cover only by method claims. Since the applicants wish to have patent protection for these embodiments, they are in this same filing also submitting a request to amend their claims so as to add new apparatus claims which are drawn to additional embodiments of the applicants' provisionally elected, broader version (i.e., page 8, lines 15-22) of the Examiner's Invention I.

Consequently, the claims of this amended application which read upon the applicants' provisionally elected, broader version (i.e., page 8, lines 15-22) of the Examiner's Invention I are apparatus Claims 1-7 and the herein added apparatus claims 28 - 33.

Respectfully submitted,


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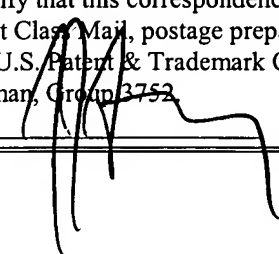
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ATTORNEY FOR APPLICANTS

1/13/06
Date

CERTIFICATE OF MAILING

I hereby certify that this correspondence, and attachments, if any, will be deposited with United States Postal Service, First Class Mail, postage prepaid, on the date indicated above and will be addressed to the Commissioner for Patents, U.S. Patent & Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450, ATTN: Examiner Darren Gorman, Group 3752

Signature: 

DATE OF DEPOSIT: 1/13/06